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 L. A. VICTORY, INC. and JOE P. ZHAO

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

KOON CHUN HING KEE SOY & SAUCE
 FACTORY, LTD.,

Plaintiff,

v.

EASTIMPEX, a California corporation, WELL
 LUCK CO., INC., a New Jersey corporation,
 and SUPER LUCK CO., INC. a California
 corporation; EBJ WHOLESALE
 CORPORATION, a California corporation;
 L. A. VICTORY, INC., a California
 corporation; JOE P. ZHAO, a California
 resident; AMERICA FOOD INT'L CORP., a
 California corporation; and GIANT UNION
 COMPANY, INC., a California corporation,

Defendants.

No. C 04-4146 MMC (EMC)

**STIPULATION AND ORDER WAIVING
 JURY TRIAL AND CONSENTING TO
 COURT TRIAL [F.R.C.P. RULES 38, 39]**

Pursuant to Rules 38(d) and 39(a) of the Federal Rules of Civil Procedure, the parties, by and through their undersigned counsel, hereby waive the right to a jury on any and all issues, claims, and defenses. The parties, accordingly, withdraw their prior demands for a jury and consent to a trial by the court of this action in its entirety.

TOWNSEND AND TOWNSEND AND CREW LLP

DATED: April 10, 2006


/s/
Timothy R. Cahn
Attorneys for Plaintiff
KOON CHUN HING KEE SOY & SAUCE
FACTORY, LTD.

DATED: April 10, 2006

/s/
Bernard Cooper
Attorneys for Defendants
L. A. VICTORY, INC. and JOE P. ZHAO

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 11, 2006


Makine M. Chesney
Judge, United States District Court

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